

May 3, 2005

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

Re: Notice of *Ex Parte* Meeting, WC Docket No. 04-36

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Federal Communications Commission's ("Commission") Rules, this letter serves to provide notice in the above-captioned proceeding of two *ex parte* meetings with Chairman Martin and Commission staff. On May 2, 2005, the undersigned accompanied Mr. Jeffrey Citron, Chairman and CEO of Vonage Holdings Corp. ("Vonage"), Ms. Brooke Schulz, Mr. Christopher Murray, also of Vonage, and Mr. Alfred E. Mottur of Brownstein Hyatt Farber to meet with Chairman Kevin Martin, Commission Chief of Staff Daniel Gonzalez, Legal Advisor for Wireline Issues Michelle Carey, and Legal Advisor on Spectrum and International Issues Sam Feder. The second meeting did not include Mr. Mottur and was with Wireline Competition Bureau Chief Thomas Navin and Wireline Competition Bureau staff Nicholas Alexander, Pamela Arluk, Terri Natoli, Christi Shewman, and Julie Veach.

During the above-referenced meetings, Vonage highlighted that it is ready, willing and able to provide 911 services to its customers but the Company requires access to the necessary elements of the emergency services network in order to provide a 911 dialing solution that will work for both fixed and mobile users of Vonage's Voice over Internet Protocol ("VoIP") service offering. Vonage updated the Chairman and Commission staff on the status of Vonage's negotiations with the RBOCs concerning access to the necessary 911 elements controlled by the RBOCs. Vonage and Verizon have been working cooperatively in New York City and have made substantial progress in deploying a solution that provides Vonage with access to the requisite elements of the emergency services infrastructure such that the Vonage can provide a robust 911 solution to its fixed and mobile VoIP customers. Vonage and Qwest are working on some issues in order to continue the important work between the two companies. Vonage is continuing discussions with SBC and work with BellSouth is progressing at a significantly slower pace.

Vonage discussed with the Chairman and staff that the Company is committed to deploying a 911 solution but in order for Vonage to effectively do so, there must be a corresponding obligation placed on the part of the RBOCs to provide the access necessary for Vonage to provide such a solution. The BOCs own and operate the selective routers that are at the heart of the emergency services network and it is only through opening up such access that Vonage and other VoIP providers will be able to develop and implement a viable solution for all of their customers. Access to other elements of the emergency services network is also required in order for VoIP providers to deploy a solution that will work for both fixed and mobile users of VoIP services. Vonage emphasized that although some CLECs may be able to provision emergency services to **some fixed** VoIP products, CLECs do not have access to the elements necessary to support non-geographic telephone numbers or nomadic or mobile VoIP services. Moreover, even if CLECs did have access to these elements CLECs do not provide services in many areas of the country, including rural areas.

Vonage highlighted that other mobile VoIP providers (*including those affiliated with CLECs*) have similar limitations and deliver calls to 10 digit administrative lines. Vonage noted, for example, that similar limitations exist with the AT&T Call Vantage Product. These limitations include are disclosed at http://www.usa.att.com/callvantage/faqs/about_911.jsp and include:

If you do need to dial 911 from your AT&T CallVantage Service phone, the first information you should provide the emergency operator is your location, name, and telephone number, as the Emergency Services PSAP personnel may NOT have this information available automatically. **This occurs because your call may go to a general access line at the PSAP which is different from how traditional wireline 911 calls are handled by the PSAP.**

When you dial 911 using AT&T CallVantage Service, your call may be routed to a **different dispatcher than that used for traditional wireline 911 calls**. Calls dialed to 911 will be routed to a Public Safety Answering Point (PSAP) center or other PSAP or local or regional center designated for wireless services associated with the service address you provided when you signed up, or other backup emergency answering services.

Vonage noted that other than the proposed Verizon solution, Vonage is as of yet unable to obtain access to pseudo-ANI/ALI elements from any other carriers. Vonage highlighted that the Company is not requesting any capability or access that the RBOCs do not already afford to mobile wireless. Furthermore, in the second meeting with the Wireline Competition Bureau staff, Vonage also added that pursuant to 47 C.F.R. § 64.3001 *et seq.*, the Commission has the clear authority to mandate that RBOCs facilitate the delivery and routing of 911 calls originated by the customers of VoIP services.

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Vonage provided the attached materials to the Chairman and Commission staff at both meetings.

Pursuant to the Commission's Rules, this letter is being submitted electronically to the Secretary for filing in the above-referenced proceeding.

Sincerely,

/s/
William B. Wilhelm, Jr.

Counsel for Vonage Holdings Corp.

cc: Chairman Kevin J. Martin
Daniel Gonzalez
Michelle Carey
Sam Feder
Thomas Navin
Nicholas Alexander
Pamela Arluk
Terri Natoli
Christi Shewman
Julie Veach